

JOSEPH P. RUSSONIELLO (CASBN 44332)  
United States Attorney

BRIAN J. STRETCH (CASBN 163973)  
Chief, Criminal Division

KIMBERLY M. BRIGGS (CASBN 132043)  
Assistant United States Attorney

1301 Clay Street, Suite 340-S  
Oakland, CA 94612  
Telephone: (510) 637-3680  
E-mail: kimberly.briggs@usdoj.gov

Attorneys for the Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND BRANCH

UNITED STATES OF AMERICA,	)	No. CR-07-00409-SBA
	)	
	)	
Plaintiff,	)	
	)	STIPULATION AND
v.	)	ORDER TO CONTINUE STATUS
	)	HEARING MAY 28, 2008 TO
	)	JUNE 24, 2008
JOEL SANCHEZ, ALFREDO SANCHEZ,	)	
and HECTOR REYNOSO,	)	
	)	
Defendants.	)	
	)	

It is hereby stipulated, by and between the parties that the status hearing set for May 28, 2008 be vacated and that the matter be set for a status hearing on June 24, 2008 at 9:00 am.

It is also stipulated that the period from May 28, 2008 to June 24, 2008, shall be excluded from the calculation of time in which the trial of the above captioned matter must commence pursuant to the Speedy Trial Act, Title 18 U.S.C. Section 3161(c). The parties stipulate that the time is excludable from the time limitations of the Speedy Trial Act because the interests of justice served by granting a continuance.

1 Such continuance is required because a defendant was just added to the indictment and  
2 defense counsel needs an opportunity to review the discovery and determine if any motions  
3 should be filed. This continuance is allowed under Title 18, U.S.C. 3161(h)(7) and  
4 (8)(A)&(B)(iv) to allow a reasonable period of delay when a new defendant is joined for trial,  
5 and to allow for the reasonable time necessary for effective preparation of the case.

6 As such, the parties respectfully request that the status hearing set for May 28, 2008 be  
7 vacated and the matter be continued to June 24, 2008 at 9:00 a.m. for a status hearing.

8  
9 DATED: June 4, 2008

Respectfully submitted,

10 /s/

11 KIMBERLY M. BRIGGS  
12 Assistant United States Attorney

13 DATED: May 28, 2008

/s/

14 EDWARD G. DUREE  
Attorney for Joel Sanchez

15 DATED: May 28, 2008

/s/

16 ROBERT L. FORKNER  
17 Attorney for Alfredo Sanchez

18 DATED: May 28, 2008

/s/

19 IVAN MORSE  
Attorney for Hector Reynoso

20  
21 Based on the reason provided in the stipulation of the parties above, the Court hereby  
22 FINDS that for adequate preparation of the case by all parties - specifically, to allow the  
23 government to supersede the indictment - pursuant to 18 U.S.C. Sections 3161(h)(8)(A) and  
24 (B)(iv) an exclusion of time is warranted under the Speedy Trial Act. Based on these findings,  
25  
26

1 IT IS HEREBY ORDERED THAT the status hearing currently scheduled for May 28,  
2 2008 shall be vacated, and the matter shall be continued for a status hearing to June 24, 2008 at  
3 9:00 a.m.

4 IT IS SO ORDERED.

5  
6 DATED: June 2, 2008

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge